

Statement of Mr. Steve Loga

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before the

**Subcommittee on Oceans and Fisheries
Committee on Commerce, Science and Transportation
United States Senate**

in the matter of

**Hearings on S. 1911; the “Highly Migratory Species Conservation Act of 1999”
and the
Reauthorization of the Magnuson-Stevens Fishery Conservation and Management Act
and Implementation of the Sustainable Fisheries Act**

**December 14, 1999
New Orleans, Louisiana**

Good afternoon, I am Steve Loga, President of Tuna Fresh, Inc., a company based in Dulac and Venice, Louisiana. I am also Secretary and regional director of the Blue Water Fishermen’s Association, representing U.S. commercial pelagic longline vessels from Maine to Texas.

I would like to thank Senator Breaux and Senator Snowe, and all of the Senate cosponsors for introducing S. 1911, the Highly Migratory Species Conservation Act of 1999. I am grateful for the opportunity to present my views on what is an incredibly important bill to our industry.

I would like to thank Senator Breaux in particular for his recognition that there still are some commercial fisheries left in Louisiana and very important ones at that. For as long as my father and I can remember, you have been a strong and reliable voice for Louisiana commercial fishing interests, and we appreciate your continued fair and balanced approach to what are often politically difficult issues in the Gulf region.

The pelagic longline fishery may be one of the least known, but it is one of the most important to fishery-dependent communities throughout the Gulf region. This year alone, my company purchased over \$20 million dollars worth of fish, with much of that being landed in Louisiana from 40 to 60 longline vessels, the bulk of which was yellowfin tuna. My company has a continuous payroll in excess of \$120,000 per month and additionally employs as many as 150 workers throughout various times of the year. We ship yellowfin tuna and other longline-caught fish to over 30 major cities nationwide. When you order tuna steak in any restaurant in America it is almost certainly yellowfin tuna, and Venice and Dulac, Louisiana have become the number one ports for yellowfin tuna in the nation.

I would also like to thank Senator Snowe, especially for her championing the cause of commercial fishery-dependent communities and for ensuring that the social and economic realities of such communities are not forgotten in the fishery management process. By championing the addition of National Standard 8 during the last reauthorization of the Magnuson-Stevens Act, you reminded everyone that fisheries management is just as much about managing fishermen— their families and communities-- as it is about managing fish. And, what we appreciate most of all, Senator Snowe, is your persistent oversight to ensure that these principles are not just on paper, but are put into practice every day by federal fishery managers.

In many ways, S. 1911 reflects your philosophy-- that healthy fish and a healthy fishing industry are not mutually exclusive goals. I know Senator Breaux shares this view because it was his vision and leadership that brought the commercial and recreational industries together into a constructive dialogue with a recognition that we shared many of the same basic goals and concerns for the future of highly migratory species. This process culminated in an unprecedented Memorandum Of Understanding among some of the most important, mainstream organizations in the sportfishing community, and the pelagic longline industry as represented by the Blue Water Fishermen's Association.

While the parties to this MOU are to be congratulated, we deeply appreciate your willingness to recognize the inherent value of our MOU by introducing legislation that reflects both its substance and spirit. S. 1911 is not just a good bill, it is the best possible solution that can be achieved under any process, and we sincerely hope it will remain so as you progress through the legislative process. To this point we want to stress that the content of S. 1911 could never have been achieved through the current NMFS regulatory process—a process that has effectively relinquished the responsibility for fishery management to federal judges. I understand that NMFS is now the defendant in nearly 100 federal lawsuits and if they try to do what your legislation does, they will undoubtedly add a few more. We hope that you will strongly discourage any efforts by NMFS to preempt and ruin this extraordinary opportunity by moving forward with their own separate rule-making process.

While our MOU had many specific objectives, the overall goal was to strike the optimum balance between the conservation need to reduce the bycatch of billfish and small swordfish in pelagic longline fisheries with the need to minimize social and economic disruptions to US fishermen, their families and their communities. In other words, this was an exercise in finding the appropriate balance among the bycatch conservation goals of National Standard 9 and the social and economic goals of National Standard 8 of the Magnuson-Stevens Act. We believe this optimum balance was achieved and is reflected in S. 1911.

On the conservation side, the expected benefits of this bill are extraordinary. Over 52 percent of the small swordfish bycatch and 31 percent of the billfish bycatch in the US EEZ occur in the time-area closures set forth in S. 1911.

In order to achieve this extraordinary conservation benefit, however, the science indicated that a permanent, year-round closure of 80,000 square nautical miles of ocean to pelagic longlining was necessary along the southeast Atlantic coast. But, the consequence of this action would be to

completely destroy the fishing operations of about 68 pelagic longline vessels.

In our view, S. 1911 provides the only fair and equitable means to address this problem.

Consistent with the spirit and intent of National Standard 8, S. 1911 provides compensation to those fishermen that would be forced to sacrifice their livelihoods in the name of swordfish and billfish conservation. The bill logically requires all three stakeholders—the commercial industry, the recreational industry, and the government on behalf of the public's interest-- to share in the cost.

In the Gulf of Mexico, the data indicated that billfish bycatch reductions could be achieved by moving the longline fishery farther offshore during the summer months, away from areas with the highest concentrations of billfish. By carefully balancing the times and areas of these conservation closures with the need to provide enough room for the pelagic longline industry to prosecute a viable yellowfin tuna fishery further offshore, I think S. 1911 has again achieved the goals of National Standard 8 to both minimize adverse economic impacts and provide for the sustained participation of our Gulf fishing communities in this very important fishery.

With that said, however, let me also share with you some of the perspective down at the docks in the Gulf longline fishery. No commercial fisherman will ever be thrilled with the idea of having to draw circles around gigantic areas of the ocean and declare that guys fishing with hooks attached to commercial longline gear cannot fish inside that circle, but guys fishing with the exact same hooks attached to sportfishing gear can fish inside the circle. Of course, I think it is safe to say they would be even less thrilled with the alternative of a longline ban—but that approach is completely irresponsible and without scientific merit.

Despite these instinctive concerns, our Gulf yellowfin tuna longline industry is willing to do at least its share for swordfish and billfish conservation by giving this approach a sincere try while recognizing that it remains as yet untested and unproven. You have our commitment but, until the

results of this experiment are in, our fishermen will remain necessarily cautious. The unanswered question for our fishermen is whether we will, in fact, achieve the fundamental objective of our MOU to reduce billfish and small swordfish bycatch mortality while preserving our ability to prosecute a healthy yellowfin tuna longline fishery outside of the closed areas.

That is why the research component of this legislation is so important to our industry. We feel that there is great potential to achieve even greater billfish bycatch reductions than through vast time-area closures by making improvements to longline gear technology and fishing methods. We understand that is why the Gulf time-area closure set forth in S. 1911 is temporary and linked to the results of this research. We appreciate this research being a major emphasis of your legislation and a priority of our coalition partners.

Finally, I ask for your indulgence to say something nice about our industry that doesn't get said very much these days. Contrary to the negative hype and rhetoric you may hear, U.S. pelagic longliners are among the most conservation minded people in the fishery management process today. They know that it is their own and their children's future that is at stake. They know it is in their best interests- more than anyone's- to strive for the most effective conservation measures that can be sustained by their industry. That is why they initiated the process that led to this legislation, and that is why time and time again they are at the forefront of international conservation advocacy at ICCAT. Last month at ICCAT it was again the US pelagic longline industry that led the charge and, almost unilaterally, made the conservation sacrifices necessary to achieve an international 10-year rebuilding plan for north Atlantic swordfish. For one, I am proud to be part of this industry.

Again, I thank you again for introducing this important legislation and for this opportunity to testify. I would also like to recognize and thank your Louisiana colleague Congressman Billy Tauzin for joining Congressman Porter Goss in introducing a companion bill to your bill in the House of Representatives. We look forward to continuing our work with you and your excellent

staff to get this legislation enacted as soon as possible.